REMARKS

The Office Action dated July 7, 2005 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 62-93 are currently pending in the application. Claims 62, 75, 86, 88, 90, 92 and 93 have been amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter has been added. Claims 62-93 are respectfully submitted for consideration.

In the Office Action, claims 62-93 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Spaur (U.S. Patent No. 6,122,514). The Office Action took the position that Spaur discloses all the elements of the claims. This rejection is respectfully traversed for the reasons which follow.

Claim 62, upon which claims 63-74 are dependent, recites a method for routing a data transmission connection between terminal equipment and a host. A data transmission network includes at least two access points for connection of the terminal equipment to the data transmission network. The method includes the steps of establishing a criterion for a choice of an access point, and evaluating access points according to the criterion. The method also includes choosing at least two of the access points which meet the criterion, and transmitting at least a part of data through at least

two of the at least two chosen access points in a given direction during the data transmission connection.

Claim 75, upon which claims 76-85 are dependent, recites a method of routing a data transmission connection between terminal equipment and a host over a data transmission network including at least two access points for connection of the terminal equipment to the data transmission network. The method includes the steps of establishing a criterion for a choice of a data transmission relaying capacity of the access points, estimating the access points in accordance with the criterion, and choosing a relaying capacity of each access point according to results of the estimation step. The method further includes proportioning data transmission traffic between the access points in relation to the chosen relaying capacities such that at least a part of data is transmitted through at least two of the at least two access points in a given direction during the data transmission connection.

Claim 86, upon which claim 87 is dependent, recites an arrangement for routing a data transmission connection between terminal equipment and a host over a data transmission network. The data transmission network includes at least two access points for connecting the terminal equipment to the data transmission network. The arrangement includes a router located in the terminal equipment for routing a data transmission through at least two access points such that at least a part of the data is transmitted through at least two of the at least two access points in a given direction during the data transmission connection.

Claim 88, upon which claim 89 is dependent, recites an arrangement for routing a data transmission connection between terminal equipment and a host over a data transmission network. The data transmission network includes at least two access points for connecting the terminal equipment of the data transmission network. The arrangement includes a router located in the terminal equipment and in a gateway exchange for routing a data transmission through at least two access points such that at least a part of data is transmitted through at least two of the at least two access points in a given direction during the data transmission connection.

Claim 90, upon which claim 91 is dependent, recites an arrangement for routing a data transmission connection between terminal equipment and a host over a data transmission network. The data transmission network includes at least two access points for connecting the terminal equipment to the data transmission network. The arrangement includes a router located in a gateway exchange for routing a data transmission through at least two access points such that at least a part of data is transmitted through at least two of the at least two access points in a given direction during the data transmission connection.

Claim 92 recites terminal equipment configured to connect to a data transmission network through at least two access points, establish a criterion for a choice of an access point, evaluate the access points according to said criterion, choose at least two of said at least two access points, wherein at least two access points chosen meet said criterion, and

transmit at least a part of data during a data transmission connection through at least two of the at least two access points chosen in the step of choosing.

Claim 93 recites terminal equipment including connecting means for connecting to a data transmission network through at least two access points, criterion means for establishing a criterion for a choice of an access point, evaluating means for evaluating the access points according to said criterion, choosing means for choosing at least two of said at least two access points, wherein at least two access points chosen meet said criterion, and transmitting means for transmitting at least a part of data during a data transmission connection through at least two of the at least two access points chosen in the step of choosing.

As discussed in the specification, embodiments of the present invention enable the choosing of more than one access point for connection between the terminal equipment and the host so that data is transmitted along at least two different routes between the terminal equipment and the host. The data may be received in one direction along the two different routes. Furthermore, embodiments of the present invention enable the traffic to be divided between at least two accesses according to pre-established criteria so that certain part of the traffic may be relayed through one access point and the remaining traffic may be relayed through another access point. Thus, reliability of the transmission may be improved as the same packets may be transmitted at least twice.

As will be discussed below, Spaur fails to disclose or suggest all of the elements of the claims, and therefore fails to provide the advantages and features discussed above.

Spaur discloses a system and method for communications channel selection. In the system described by Spaur, a number of network channels are available and includes a link selector for selecting an acceptable network channel. During one bi-directional communications operation, information is transmitted and received using two different network channels. For example, terminal stack 12 enables communications system 10 to transmit and receive information using two different networks and two different network channels, or links 34a-34n. Communications system 10 determines that the L1 network interface is better for outgoing packets and network interface L2 is better for incoming packets. An outgoing packet is sent through the L1 network interface. When responding, the remote station routes a packet to communications system 10 along the route that is determined to be optimal to reach the L2 network interface of communications system 10. Accordingly, in the return path, the network interface L1 and the outgoing links are not used. Therefore, Spaur discloses that every information packet is sent only once during an operation. For instance, certain packets are sent over a spread spectrum link and certain other packets are sent over a CDPD channel, as determined by communication system 10.

Applicants respectfully submit that Spaur fails to disclose or suggest all of the elements of the presently pending claims. Specifically, Applicants submit that Spaur does not disclose or suggest transmitting at least a part of data through at least two of the at least two chosen access points in a given direction during the data transmission connection, as recited in claims 62, 75, 86, 88, and 90. Similarly, Spaur fails to disclose

or suggest transmitting at least a part of data during a data transmission connection through at least two of the at least two access points, as recited in claims 92 and 93.

Therefore, as recited in the present claims, during a data transmission connection between a terminal and a host, some data is transmitted through at least two access points. These access points may be selected based upon an established criterion. Applicants respectfully assert that Spaur, on the other hand, does not disclose or suggest that at least a part of data is transmitted through at least two of the at least two chosen access points in a given direction during a data transmission connection.

Spaur teaches a two-stage method for the selection of network channels. First, one or more acceptable channels are selected (Spaur, Column 2, line 57 – Column 3, line 22). Thereafter, Spaur discloses that a second stage of analysis based on suitability values is conducted. Then, based on the result of the second stage of analysis, the network channel having the highest or most desired suitability value is selected for the application. Spaur does not disclose or suggest transmitting information via at least two network channels in a given direction during the data transmission connection. Instead, Spaur transmits an information packet only once using one selected network channel during an operation.

Further, Spaur discloses that the communications network may communicate in a bi-directional manner with the remote station by choosing an optimal path for an outgoing packet and another optimal path for an incoming packet. According to Spaur, a first network channel is used for sending data from the communications system to the remote station and a second network channel is used for sending data to the

communications system from the remote station. Accordingly, one network channel is used in a first direction and another network channel is used in the other direction.

Therefore, Spaur discloses that information is transmitted using only one network channel at a time in a given direction. As such, Spaur fails to disclosed or suggest that a part of data is sent through at least two of the at least two chosen access points in a given direction during a data transmission connection. For at least the reasons discussed above, Applicants respectfully submit that claims 62, 75, 86, 88, 90, 92 and 93 recite subject matter which is neither disclosed nor suggested by Spaur. Thus, Applicants respectfully request that the rejection of claims 62, 75, 86, 88, 90, 92 and 93 be withdrawn.

Claims 63-74, 76-85, 87, 89 and 91 are directly or indirectly dependent upon the independent claims discussed above. The dependent claims are allowable at least for the reasons given above, and because they recite additional patentable subject matter. For at least these reasons, applicants respectfully request that the anticipation rejection of claims 62-93 be withdrawn.

Applicants respectfully submit that the cited prior art fails to disclose or suggest critical and important elements of the claimed invention. These distinctions are more than sufficient to render the claimed invention unanticipated and unobvious. It is therefore respectfully requested that all of claims 62-93 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by

telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

Majid S. AlBassam
Registration No. 54,749

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Tysons Corner, Virginia 22182-2700
Telephone: 703-720-7800
Fax: 703-720-7802

MSA:jf

Enclosures: Petition for Extension of Time